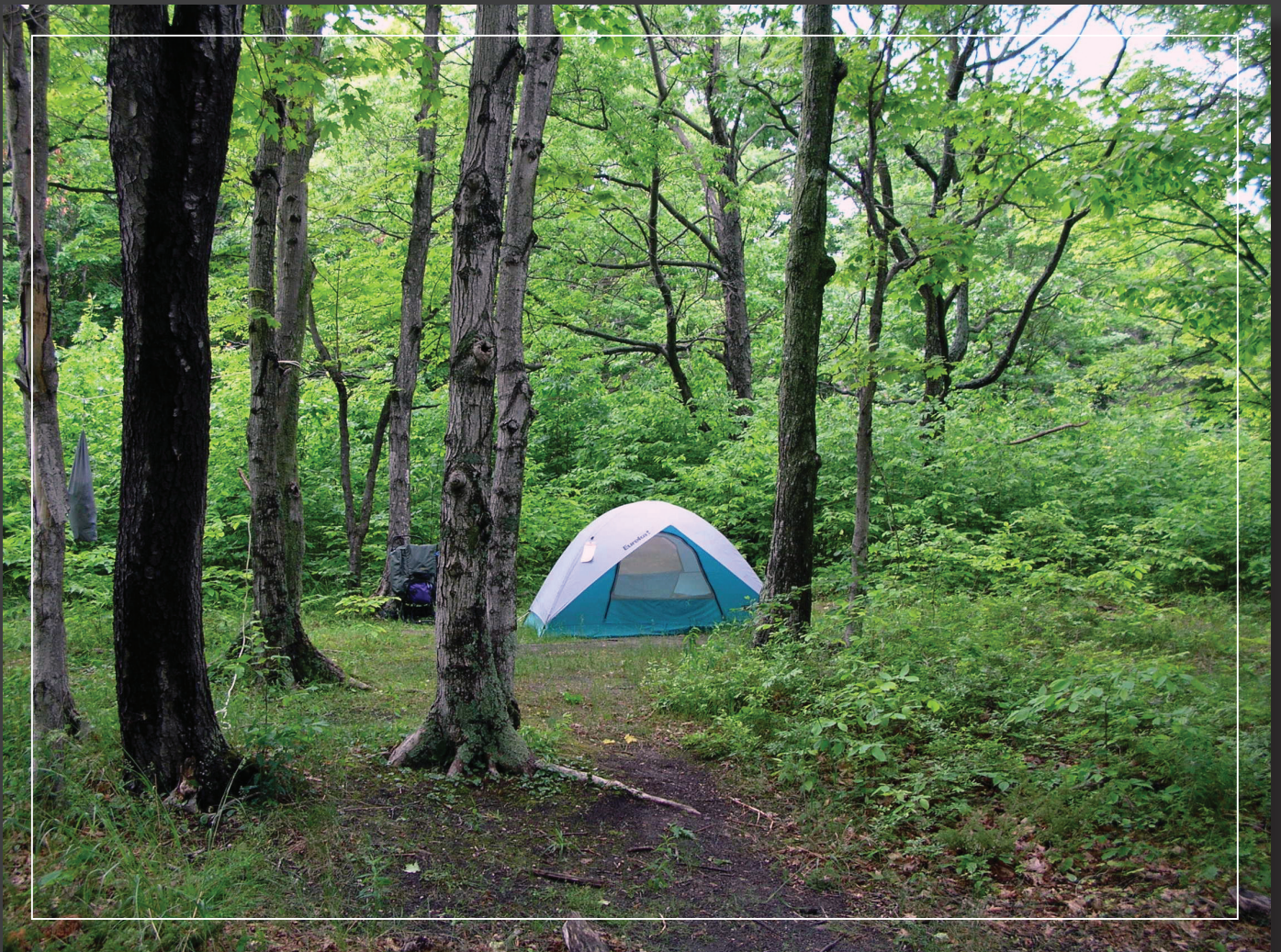


## Wilderness Study and Proposal • 4







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## INTRODUCTION

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The purpose of wilderness designation is to preserve and protect wilderness characteristics and values in perpetuity, including opportunities for solitude or primitive and unconfined recreation. With passage of the 1964 Wilderness Act (PL 88-577), Congress declared that it is national policy to secure for present and future generations the benefits of enduring wilderness resources. Wilderness can be officially designated only through congressional action.

### WILDERNESS DEFINITION

The Wilderness Act of 1964 is the guiding piece of legislation for all wilderness areas. The act defines wilderness as follows:

- “lands designated for preservation and protection in their natural condition” Section 2(a)
- “an area where the earth and its community of life are untrammelled by man” Section 2(c)
- “an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvement or human habitation” Section 2(c)
- “generally appears to have been affected primarily by the forces of nature, with the imprint of man’s work substantially unnoticeable” Section 2(c)
- “has outstanding opportunities for solitude or a primitive and unconfined type of recreation” Section 2(c)
- “shall be devoted to the public purposes of recreation, scenic, scientific, educational, conservation and historic use” Section 4(b)

### BRIEF DESCRIPTION OF THE STUDY AREA

The wilderness study area consisted of the 71,291 acres within the legislated boundary of Sleeping Bear Dunes National Lakeshore. Most of the area is federally owned and managed, but there are also some privately owned parcels, reservations of use and occupancy, and rights-of-way for utilities and state and county roads within the study area.



*Dunes photographers*

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## WILDERNESS STUDY AND PROPOSAL

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### WILDERNESS ELIGIBILITY

The first step in a wilderness study is typically to identify wilderness *eligible* lands, or lands that possess wilderness character. The 1970 legislation that established Sleeping Bear Dunes National Lakeshore (Public Law 91-479) required the secretary of the interior to recommend the suitability or unsuitability of lands within the Lakeshore for preservation as wilderness. As a result, six areas totaling more than 36,000 acres were identified as wilderness eligible in the 1975 “Final Wilderness Recommendation”: (1) most of North Manitou Island, (2) most of South Manitou Island, (3) an area around Pyramid Point/ Good Harbor Bay (northern portion of the Lakeshore), (4) an area around the Sleeping Bear Plateau (central portion of the Lakeshore), (5) an area around Otter Creek (southern portion of the Lakeshore), and (6) an area west of the Platte River (southern portion of the Lakeshore). The 1975 recommendation proposed 35,060 acres — all as potential wilderness, recognizing that the limited land acquisition authority in the Lakeshore’s enabling legislation would likely result in nonconforming uses (such as residences) remaining in many areas. Not all of the eligible areas were proposed as potential wilderness at that time; the northern portion of the Sleeping Bear Plateau area was withheld because “interpretation is proposed in this area.”

Subsequently, after most of the land acquisition had taken place and the 1979 *General Management Plan* was completed, a new wilderness proposal was prepared. The 1981 “Wilderness Recommendation” also proposed most, but not all, of the wilderness-eligible areas for wilderness designation, and the recommendation included the general areas described above, with the exception of the area around the Sleeping Bear Plateau. The 1981 “Wilderness Recommendation” proposed 30,903 acres of wilderness; 7,128 for full designation and 23,775 as potential wilderness (areas in which there remained temporary nonconforming uses, such as reservations of use and occupancy).

Congress then passed a law in 1982 (PL 97-361) requiring Sleeping Bear Dunes National Lakeshore to manage areas proposed in the 1981 “Wilderness Recommendation” to maintain their existing wilderness character “until Congress determines otherwise.” Because of this law, **all lands included in the 1981 recommendation have been, and will continue to be, managed as wilderness unless and until Congress acts upon a recommendation.**

In 2006 the NPS planning team evaluated the wilderness eligibility of lands added to the Lakeshore boundary since the initial eligibility was determined in 1975. The Bow Lakes (975 acres), Miller Hill (640 acres), and Crystal River (104 acres) additions were determined to be *ineligible* for wilderness. This determination was based primarily on substantial percentages of nonfederal ownership (Bow Lakes and Miller Hill), existing developments, the relatively small size of the areas (especially considering that none is contiguous to other National Lakeshore areas that were earlier determined to be eligible for wilderness), and the corresponding lack of outstanding opportunities for solitude or a primitive and unconfined type of recreation.

*Platte Plains Trail*





*Otter Creek in winter*

### OPTIONS ANALYZED IN THIS WILDERNESS STUDY

This *Wilderness Study* was a fresh look at the question of whether, and if so, where, wilderness should be designated within Sleeping Bear Dunes National Lakeshore, given the best available current information about wilderness character, public review and comment, and practical considerations. This *Wilderness Study* was carried out primarily because of public interest regarding issues associated with the 1981 “Wilderness Recommendation” that arose during a 2002 effort to produce a new *General Management Plan* for the Lakeshore. Following the halting of that planning effort, Lakeshore managers decided that the best way to address public concerns, and the indeterminate status of wilderness posed by the 1982 law, was to conduct a new *Wilderness Study*. Because there are many misperceptions about wilderness, it is important to understand what wilderness designation for portions of Sleeping Bear Dunes National Lakeshore would mean. For information about *what is* and *what is not* allowed in wilderness, see the following “Uses and Management in Wilderness” description.

The wilderness proposal in this plan meets the Lakeshore mission of preserving resources and providing visitors appropriate opportunities to enjoy them. Where practicable, proposed wilderness boundaries have been defined by roads, rivers, ridgelines, or other physical features to facilitate future management.

It should be noted that the most substantial difference between the 1981 “Wilderness Recommendation” and the plan is that no developed county roads are included in proposed wilderness. These roads were excluded from proposed wilderness in order to continue to provide vehicle access to various areas of the Lakeshore, and in consultation with the Benzie and Leelanau County Road Commissions who own the road rights-of-way. Excluding the road corridors from proposed wilderness fragmented some of the eligible lands to the point that the planning team felt that they would no longer possess sufficient wilderness character, so the lands adjacent to M-22 between the Platte River and Fowler Road in the southern section of the park were excluded from the wilderness proposal.

Please note that the acreage figure for the wilderness proposal is an estimate based on small-scale maps and will be refined prior to legislation, using detailed, large-scale maps.



## USES AND MANAGEMENT IN WILDERNESS

A variety of recreational uses, management actions, and certain facilities are *permitted* in wilderness areas under the Wilderness Act of 1964 and NPS policies. Among the uses, management actions, and facilities permitted in wilderness are the following:

- ⇒ nonmotorized recreational uses (e.g., hiking, picnicking, camping, canoeing)
- ⇒ hunting and fishing
- ⇒ guided interpretive walks and onsite presentations
- ⇒ use of wheelchairs, service animals, and reasonable accommodations for the disabled (e.g., barrier-free trails, accessible campsites)
- ⇒ trails, campsites, toilets, and signs necessary for visitor safety or to protect wilderness resources
- ⇒ emergency actions and equipment necessary to ensure life safety
- ⇒ fire management activities (including fire suppression)
- ⇒ preservation of historic properties eligible for the National Register of Historic Places
- ⇒ uses and facilities for landowners with valid property rights in a wilderness area
- ⇒ scientific activities, research, and monitoring
- ⇒ natural resource management actions such as restoration of extirpated species, controlling invasive exotic species, endangered species management, and protection of air and water quality
- ⇒ certain administrative facilities if necessary to carry out wilderness management objectives (e.g., storage or support structures, ranger station)
- ⇒ Native American religious activities and other actions recognized under treaty-reserved rights

The Wilderness Act also specifically *prohibits* certain uses and developments. Under section 4(d) of the act, the following uses are not permitted in a wilderness:

- ⇒ permanent improvements or human habitation
- ⇒ structures (historic structures are excluded)
- ⇒ permanent and temporary roads
- ⇒ use of motor vehicles and motorized equipment (except for emergency purposes)
- ⇒ landing of aircraft (except for emergency purposes)
- ⇒ other forms of mechanical transport (e.g., bicycles)
- ⇒ commercial enterprises (except for those that are necessary for realizing the recreational or other wilderness purposes of the area, such as guiding and outfitting)

With the exception of permanent roads, the act does recognize that the above uses *may be permitted* if necessary to meet the minimum requirements for the administration of the area as wilderness or for emergency purposes.

In addition to the above prohibitions, NPS policies also *prohibit* some developments such as the following:

- ⇒ new utility lines
- ⇒ permanent equipment caches
- ⇒ site markings or improvements for nonemergency aircraft use
- ⇒ borrow pits (except for small quantity use of borrow material for trails)
- ⇒ new shelters for public use
- ⇒ picnic tables

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## WILDERNESS PROPOSAL

The overall vision of the plan is that the National Lakeshore is valued primarily for the preservation of its natural resources and for the opportunities it provides for visitor enjoyment of natural, cultural, and recreational resources in a scenic outdoor setting. In keeping with this vision, as well as with public comment, the plan proposes wilderness for most of the eligible lands but excludes the developed county roads. Five areas totaling approximately 32,557 (refer to the plan map on pages 38-39 or in the pocket in the back of this document) are proposed as wilderness, as follows:

**(1) North Manitou Island** — most of the island — with a wilderness exclusion for the historic village and Cottage Row to facilitate maintenance, rehabilitation, or restoration of these structures and immediate surroundings

**(2) South Manitou Island** — most of the island — with a wilderness exclusion for the lighthouse complex, historic village, schoolhouse, the route to the Giant Cedars, and the farm loop tour route including the schoolhouse (to allow continuation of the interpretive tours and to facilitate maintenance, rehabilitation, or restoration of the structures, farmsteads, and surrounding fields)

**(3) North area of the mainland** — an area north of M-22 and east of Port Oneida — no wilderness in Port Oneida, and a wilderness exclusion around the Bufka farm to facilitate maintenance or rehabilitation of the farmstead and surrounding farm fields

**(4) Central area of the mainland** — Sleeping Bear Plateau — with a wilderness exclusion for the Cottonwood Trail to provide an opportunity for large groups to experience the namesake Sleeping Bear Dunes

**(5) South area of the mainland** — much of the area north and west of M-22 — with a wilderness exclusion around Empire Bluffs Trail to facilitate trail maintenance and to ensure that hang gliding could continue, and a wilderness exclusion around the Treat farmstead to facilitate maintenance of open farm fields (Note that this area includes areas 5 and 6 from the wilderness proposal in the *Final General Management Plan / Wilderness Study / Environmental Impact Statement*.)

After studying the various options and considering public comment, the National Park Service has concluded that wilderness designation of these areas helps to fulfill its mission at Sleeping Bear Dunes National Lakeshore by ensuring protection of the values of naturalness and solitude for the purposes of recreation, scenic, scientific, educational, conservation, and historic use. In addition, wilderness designation of most of the eligible lands best fulfills the wishes expressed in public comments, because most respondents wanted the Lakeshore to remain largely the way it is now — which is to have these areas managed as wilderness but with existing roads remaining open and excluded from wilderness.

Based on the *Wilderness Study* in this document, the National Park Service will forward a wilderness proposal to the U.S. Department of the Interior. The secretary of the interior is then responsible for reviewing this proposal and either approving or revising it before forwarding it on to the president as recommended wilderness. The president then formally transmits this recommendation to both houses of Congress for action.

## IMPLICATIONS OF MANAGING LANDS PROPOSED FOR WILDERNESS

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Congress passed a law in 1982 (PL 97-361) requiring Sleeping Bear Dunes National Lakeshore to manage areas proposed in the 1981 “Wilderness Recommendation” to maintain their wilderness character “until Congress determines otherwise.” Because of this law, **all lands included in the 1981 recommendation have been, and will continue to be, managed as wilderness unless and until Congress acts upon a recommendation. This is true even though the new wilderness proposal excludes portions of those lands from wilderness.**

In addition to the lands in the 1981 recommendation, the additional lands that are proposed for wilderness designation by this plan, such as the Sleeping Bear plateau, are to be managed as wilderness until such time as Congress specifically decides whether or not to include them in a formal wilderness designation (NPS *Management Policies* 2006). Management activities on lands proposed for wilderness cannot diminish the wilderness eligibility of those lands.

*Fresh snowfall*



### PLANNING AND MANAGEMENT

Once wilderness, if any, is designated, a wilderness management plan is typically developed to guide preservation, management, and use of NPS wilderness areas. Such a plan is developed with public involvement and contains specific, measurable objectives for preservation of wilderness values as specified in the Wilderness Act and NPS management policies. Wilderness management plans, which are often combined with backcountry management plans, may articulate management actions such as regulations, monitoring, and permit systems such as those currently in place for backcountry camping on the mainland and islands.

Management decisions affecting wilderness will be consistent with the “minimum requirements” concept. This concept is a documented process used to determine whether administrative activities affecting wilderness resources or visitor experiences are necessary in wilderness, and if so, how to minimize impacts from such activities. Parks are to complete a minimum requirements analysis for administrative actions and equipment uses that have potential to affect wilderness character.

Where practical alternatives do not exist, maintenance or other activities may occasionally be accomplished through the use of motorized equipment. The use of motorized equipment should be based on the minimum requirement concept. Motorized equipment need not be allowed for activities that can reasonably be accomplished using nonmotorized means.

### PRIVATE RIGHTS

Wilderness designation does not extinguish valid existing private rights such as land or right-of-way ownership or valid mineral interests. Valid private rights in wilderness are administered in keeping with the specific terms and conditions of each right.



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## RECREATIONAL USE

Recreational uses of NPS wilderness are to be of a type and nature that enable the areas to retain their undeveloped primeval character and influence, protect and preserve natural conditions, leave the imprint of man's work substantially unnoticeable, provide outstanding opportunities for solitude or primitive and unconfined types of recreation, and preserve wilderness in an unimpaired condition. Hunting and fishing are appropriate uses of wilderness at Sleeping Bear Dunes National Lakeshore. Public use of motorized equipment or any form of mechanical transport is prohibited, except as provided for in specific legislation. Operating a motor vehicle or possessing a bicycle in wilderness is prohibited. The use of a wheelchair, as defined by the Americans with Disabilities Act of 1990, is allowed in wilderness. Service animals accompanying persons with disabilities are also allowed in wilderness.

## EMERGENCY SERVICES

In emergency situations involving the health and safety of persons, the use of aircraft, motorboats, and other motorized or mechanical equipment is allowed. Wildfires will be controlled as necessary to prevent loss of life, damage to property, the spread of wildfire to lands outside wilderness, or unacceptable loss of wilderness values. The use of tool caches, aircraft, motorboats, and motorized fire-fighting equipment may be permitted for such control. Prescribed fire and hazard fuel reduction programs may be implemented according to approved plans. The minimum requirement concept will be followed for all fire activities in wilderness.

## RESOURCE MANAGEMENT AND RESEARCH

Wilderness designation does not prevent the National Park Service from protecting and maintaining historic and other cultural resources located within wilderness areas. Using the minimum requirement concept, these resources will be protected and maintained according to the pertinent laws and policies governing cultural resources. Natural resource management activities may be carried out in a similar fashion, and will generally be undertaken only to address the impacts of past and current use or influences originating outside of wilderness boundaries. Natural processes will be allowed, insofar as possible, to shape and control wilderness ecosystems.

Scientific activities are appropriate in wilderness. Even scientific activities (including inventory, monitoring, and research) that involve a potential impact to wilderness resources or values (including access, ground disturbance, use of equipment, and animal welfare) are allowed when the benefits of what can be learned outweigh the impacts on wilderness resources or values. However, all such activities must be evaluated using the minimum requirement concept.

*Wildflowers in bloom*



